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U.S.PTO

UTILITY PATENT APPLICATION TRANSMITTAL

<i>Address to:</i> Mail Stop PATENT APPLICATION Commissioner for Patents U.S. Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	<i>Attorney Docket No.</i> CCCI 0114 PUS
	<i>Inventor(s) or Appln. Identifier</i> Charles L. Compton, Richard M. Woundy, John G. Leddy

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1. This application entitled APPARATUS AND METHOD FOR PROVIDING HFC FORWARD PATH SPECTRUM is:

- A new application under 37 C.F.R. § 1.53(b).
- A continuation divisional or continuation-in-part application under 37 C.F.R. § 1.53(b) of prior application Serial No. / filed on , entitled .
- A new utility application which claims the benefit of provisional application Serial No. , filed on .

Application elements and other attached papers:

- Specification (including Claims and Abstract) [Total Pages 11]
- Drawings [Total Sheets 3]
- Oath or Declaration
- Newly-executed
- Copy from a prior application (37 C.F.R. § 1.63(d))
- Incorporation By Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).

a. **DELETE** the following inventor(s) named in the prior nonprovisional application: b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.**CERTIFICATION UNDER 37 C.F.R. § 1.10**

I hereby certify that this **UTILITY PATENT APPLICATION TRANSMITTAL** and the documents referred to as attached therein are being deposited on the below date with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: **Mail Stop Patent Application, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450**:

Express
Mail Label No. EV 411155551 US
Sandra Byrnes
 (Type or print name if person mailing paper)
Date of Deposit: November 26, 2003

 (Signature if person mailing paper)

7. Preliminary Amendment:

- a. A Preliminary Amendment Under 37 C.F.R. § 1.115 is attached.
- b. Cancel in this application original claims _____ of the prior application before calculating the filing fee.
- c. Please amend the specification by inserting before the first line the following sentence:

"This is a _____ continuation _____ divisional of copending application(s) serial number / _____ filed on _____."

- d. A Petition to Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently) is attached.

8. Small entity status:

- a. Applicant claims small entity status.
- b. Small entity status was claimed in the prior nonprovisional application and such status is still proper and desired.
- c. Is no longer desired.

9. Fee Calculation:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c))	19 -20 =	0	x 18.00	0
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b))	3 -3 =	0	x 86.00	0
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. §1.16(d))			290.00	
			BASIC FEE (37 C.F.R. § 1.16(a))	770.00
			TOTAL OF ABOVE CALCULATIONS	\$770.00
REDUCTION BY 50% FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. §§ 1.9, 1.27, 1.28)				
			\$40.00 ASSIGNMENT RECORDAL FEE (if applicable)	\$40.00
			TOTAL	\$810.00

10. A check in the amount of \$ 810.00 is enclosed.

11. The Commissioner is hereby authorized to credit overpayments or charge the following fees (or any deficiency therein) to Deposit Account No. 02-3978:

- a. Fees required under 37 C.F.R. § 1.16.
- b. Fees required under 37 C.F.R. § 1.17.

12. Maintenance of Copendency of Prior Application

A request for extension of time and the appropriate fee have been filed in the pending prior application (or are being filed in the prior application concurrently herewith) to extend the period for response until _____

13. An Information Disclosure Statement (IDS) is attached, along with the following indicated attachments thereto:

a. Form PTO/SB/08 (2 sheet(s))
b. Copies of references cited

14. Certified copy of priority document(s) AND English Translation Document (if applicable)

15. Nonpublication Request Under 37 C.F.R. § 1.213(a)

16. Request for Early Publication Under 37 C.F.R. § 1.219

17. Return Receipt Postcard

18. Other: _____

19. An Assignment of the invention to Comcast Cable Holdings, LLC
having an address of 1500 Market Street, 34th Floor, Philadelphia, Pennsylvania 19102-2148

a. is attached.
b. was recorded on _____ at Reel _____, Frame _____.
c. Applicant requests that the above assignee information be published with the application.

20. The power of attorney in the prior application is to:

Name of Attorney of Record

Reg. No.

The power appears in the original papers in the prior application.

The power does not appear in the original papers, but was filed on _____.

A new power has been executed and is attached.

21. Correspondence Address: Please address all future communications to:

CUSTOMER NO.

22045

Telephone: 248-358-4400; Fax: 248-358-3351

Respectfully submitted,

Charles L. Compton et al.

Date November 26, 2003


Name: Jeremy J. Curcuri
Registration No.: 42,454

Attorney of record
 Filed under Rule 34(a)